

Docket No.: 255034US8PCT/phm

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Kei KIKUIRI, et al.

SERIAL NUMBER: 10/500,103

GROUP: 2626

FILED: June 25, 2004

EXAMINER: SAINT CYR, LEONARD

FOR: SIGNAL ENCODING APPARATUS, SIGNAL ENCODING METHOD, AND  
PROGRAM

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

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SIR:

Applicants acknowledge with appreciation the indication of allowability of the claimed invention. In response to the Examiner's Statement of Reasons for Allowance in the Notice of Allowability of November 5, 2008, Applicants respectfully submit the following comments:

In the Notice of Allowance on page 3, section 2, third paragraph, the examiner states the following:

“As to claims 1, 2, 4-6, 8, 12, 13, 15-17, 19, 23-24, 26-28, and 34-47 neither Sugiyama nor Bist, nor Sriram et al., teach nor suggest an electric power calculator configured to calculate electric power values of the plurality of first weighted error signals respectively, and wherein the quantization method selector compares the electric power values of the plurality of first weighted error signals with one another, and selects a given quantization method from among the plurality of the quantization methods based on a result of the comparison.”

This statement contains a description of the invention that is not strictly correct. Because there are no other “weighted error signals” recited in any of the claims, it is erroneous to state twice that there are “first weighted error signals”. A correct recitation should delete “first” and simply recite “weighted error signals”.

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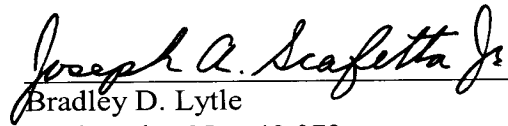
Reply to Notice of Allowance of November 5, 2008

Furthermore, this statement refers only to apparatus claims 1, 2, 4-6, 8 and 34-47.

The statement does not refer to either method claims 12, 13, 15-17 and 19 or medium claims 23-24 and 26-28. Thus, no statement was made as to why the method and medium claims were allowed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

A handwritten signature in cursive script, reading "Joseph A. Scafetta Jr.", is written over a horizontal line.

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